

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA

MARK HAINAN

JURY TRIAL DEMANDED

v.

CASE NO.

BUREAU OF COLLECTION RECOVERY, INC.

COMPLAINT

1. Plaintiff seeks relief pursuant to the Fair Debt Collection Practices Act ("FDCPA"), 15 U.S.C. §1692.
2. This Court has jurisdiction. 15 U.S.C. § 1692k, 28 U.S.C. § 1331.
3. Plaintiff is a natural person who resides in Westmoreland County, Western District of Pennsylvania.
4. Plaintiff is a consumer within the FDCPA.
5. Plaintiff allegedly incurred a debt within the FDCPA, namely a cell phone bill.
6. Defendant holds itself out to the public as a collection agency.
7. Defendant is a debt collector within the FDCPA.
8. Defendant's collection efforts took place within the past year.
9. Defendant called plaintiff a liar and a deadbeat.
10. Defendant continued to collect the debt after receiving written notice from the plaintiff that the plaintiff disputed the debt because settlement in full was made.
11. Defendant attempted to collect a debt that wasn't owed by the plaintiff.
12. Defendant contacted plaintiff knowing that plaintiff was represented by an attorney.

13. Defendant told plaintiff, "go ahead and ruin your credit."

14. Defendant left a message on plaintiff's voice mail and failed to provide the language mandated by 15 U.S.C. § 1692e(11).

FIRST COUNT

13. In the collection efforts, defendant violated the FDCPA, *inter alia*, §1692c(a)(2), 1692d, 1692d(2), 1692c(c), 1692e(2), 1692e(11) and 1692f.

14. As a result of defendant's illegal collection activities, plaintiff suffered actual damages in the form of anger, anxiety, emotional distress, fear, frustration, upset, humiliation, embarrassment, as well as unjustified and abusive invasions of personal privacy.

WHEREFORE, plaintiff respectfully requests this Court to:

1. Award plaintiff such damages as are permitted by law, including actual damages and \$1,000 statutory damages; and
2. Award the plaintiff costs of suit and a reasonable attorney's fee.

JEFFREY L. SUHER, P.C.

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